GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Water Resources Department – Disciplinary proceedings initiated against Sri S.Sesha Kumar, Executive Engineer, SRBC Quality Control and now retired – Departmental action initiated under rule 20 of A.P.C.S. (CC & A) Rules, 1991 for violation of codal rules amounts to dereliction of duties amounting to misconduct - Finalization of disciplinary proceedings by imposing a penalty of (5%) cut in pension for a period of (5) Years – Orders –Issued.

WATER RESOURCES (VIGILANCE-I/A1) DEPARTMENT

G.O.RT.No. 685 Dated: 31-10-2016

Read the following:

Ref:-
1. From Registrar, Institution of A.P.Lokayukta, letter Dis No.112/ 2006/B2/1550/2007, dated 11.12.2007
2. G.O.Rt.No.452, Irrigation & CAD (Ser.IV) Department, dated 01.04.2009.
3. Written statement of defence of Sri S.Sesha Kumar, Executive Engineer dated 23.05.2009.
4. G.O.Rt.No.145, Irrigation & CAD (Ser.IV) Department, dated 05.02.2010.
5. G.O.Rt.No.146, Irrigation & CAD (Ser.IV) Department, dated 05.02.2010
6. U.O. Note.No.89/COI-R/2012, General Administration (COI.R) Department, dated 24.03.2012.
7. G.O.Rt.No.587, Irrigation & CAD (Ser.IV) Department, dated 17.05.2012.
8. D.O. Letter No.179/COI.P/2012-6, dated 28.03.2013 received from Dr.Prem Chand, IAS (Retd), Commissioner of Inquiries, General Administration (COI) Department.
9. Govt.,Memo.No.35824/Ser-IV-1/2007-2,dated 30.05.2013.
10. Explanation on the Inquiry Report of Sri S.Sesha Kumar, Executive Engineer dated 28.07.2013.
11. Govt.Memo.No.35824/Vig-I/A1/2007-3, dated 28.04.2016
12. Explanation on Show cause notice of Sri S.Sesha Kumar, Executive Engineer dated 21.07.2016.
13. Govt.,letter.No.35824/Vig-I/A1/2007-4, Dated 22.08.2016
14. From the Secretary, APPSC, letter No.659/DC&C/1/2016, dated 17.09.2016.

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ORDER:

In the reference 1st read above, the Registrar, Institution of A.P. Lokayukta, Hyderabad has forwarded copies of the orders in Compliant No.112/2006/B2 dated 22.10.2007 and report of the Investigating Officer together with the material evidence for taking action as observed in the order. The Hon'ble Upa-Lokayukta of A.P. Hyderabad has stated that Sri M.Ranganna and 26 other staff members of the Office of the Executive Engineer, Srisailam Right Canal, Quality Control and Supervision Division of Kurnool District have made compliant to the Hon'ble Upa-Lokayukta, against Sri S.Sesha Kumar, Executive Engineer, Quality Control and Supervision Division of Panyam, Kurnool District levelling certain allegations and requested to enquire into the allegations and do justice. The complainant did

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not respond to the notice for submitting forms I & II and paying the complaint fee. In view of serious allegations contained in the complaint, the same was ordered to be registered as suo-motto complaint and the matter was referred to the Director, (Investigation) for discreet probe and to submit his report. In turn, the Director (Investigation) got the matter enquired by the Investigating Officer and submitted his report along with the report of the Investigating Officer.

2. In the reference 2nd read above, article of charges were issued to Sri S.Seshakumar, Executive Engineer, SRBC Quality Control Division, Panyam and now retired, for violation of codal rules amounting to dereliction of duties amounting to misconduct.

3. In the reference 3rd read above, Sri S.Seshakumar, Executive Engineer, SRBC Quality Control Division, Panyam has submitted his written statement of defence requesting to drop the charges. After examining the same, it was found that the written statement of defence was not convincing and therefore orders were issued appointing Dr. Subrendu Battacharya, IAS, Commissioner for Inquiries as Inquiring Authority to conduct regular inquiry against Sri S.Sesha Kumar, Executive Engineer and to submit the report after conducting inquiry in the matter in the G.O. 4th read above.

4. In the reference 5th read above, Sri S.Suryababu, Incharge Superintending Engineer, Irrigation Circle, Chittoor was appointed as Presenting Officer to present the case on behalf of the disciplinary authority.

5. In the U.O Note 6th read above, the GA (COI.R) Department have informed that consequent on appointment of three Inquiry Officers, it has been decided to reassign the instant case to Dr. Prem Chand, IAS (Retd), COI, GA (COI) Department as Inquiring Authority in place of Sri Subrendu Bhattacharya, IAS.

6. In the G.O 7th read above, Dr. Prem Chand, IAS (Retd), Commissioner of Inquiries, GAD was appointed as Inquiring Authority in place of Sri Subrendu Bhattacharya, IAS.

7. In the reference 8th read above, Dr. Prem Chand, IAS (Retd) has submitted his inquiry report stating that the charges 1 and 2 are not held as proved and Charge No.3 is held as proved.

8. In the reference 9th read above, a copy of the inquiry report has been communicated to Sri S.Seshakumar, Executive Engineer, SRBC Quality Control Division, Panyam and now retired, with a direction to submit his explanation, if any, on the findings of the Inquiring Authority.

9. In the reference 10th read above, Sri S.Seshakumar, Executive Engineer, SRBC Quality Control Division, Panyam and now retired, has submitted his explanation and the same was examined and decided to impose a penalty of (5%) cut in pension for a period of five (5) years on Sri S.Seha Kumar, Executive Engineer, SRBC Quality Control Division, Panyam and now retired. In the reference 11th read above, a show cause notice was issued to Sri S.Seha Kumar, Executive Engineer, SRBC Quality Control Division, Panyam and now retired indicating the quantum of the penalty to

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be imposed against him with a request to submit his explanation if any. He has submitted his explanation in his representation 12th read above. After examining the same, it has been decided to impose the above said penalty.

10. In the reference 13th read above, the Secretary, APPSC has been requested to communicate the concurrence of APPSC on the decision taken by the Government.

11. In the reference 14th read above, the Secretary, APPSC, Hyderabad has communicated the concurrence of the Commission stating that the Commission agreed with the proposal of the Government to impose a penalty of (5%) cut in Pension for a period of Five (5) years against Sri S.Sesha Kumar, Executive Engineer (Retired)

12. After careful examination of the entire issue, Government hereby impose a penalty of (5%) cut in Pension for a period of five (5) years against Sri S.Seha Kumar, Executive Engineer, SRBC Quality Control Division, Panyam and now retired.

13. The Engineer-in-Chief (AW), Water Resources Department, Hyderabad shall take necessary further action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To
Sri S.Seha Kumar, Executive Engineer, SRBC Quality Control Division, Panyam and now retired **through** the Engineer-in-Chief(AW), Water Resources Department, Vijayawada.
The Engineer-in-Chief(AW), Water Resources Department, Hyderabad.
The Accountant General, Andhra Pradesh, Vijayawada.
Copy to:
The Secretary, A.P. Vigilance Commission, Amaravati.
The Secretary, A.P.P.S.C., Nampally, Hyderabad.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER